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STATE OF NEVADA
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JOY GRIMMER
Board Chair

AGENDA ITEM

Action Item

Information Only

Date: July 25, 2024

Item Number: 4.4

Title: Revised Language Access Plan

SUMMARY

This report explains the revised Language Access Plan (LAP).

BACKGROUND

Pursuant to [NRS 232.0081](#), all executive branch agencies must biennially revise their LAPs. Revised LAPs are due to the Governor's Office for New Americans by August 1, 2024. PEBP issued its first LAP in 2022, and the proposed revisions substantially reformat and streamline the LAP's contents.

REPORT

As set forth in the revised LAP, most PEBP members are proficient in English. In the last seven years, PEBP has received no requests that any plan document be translated into a language other than English. Accordingly, PEBP has not preemptively translated any of its plan documents. However, PEBP does provide to all members a notice of non-discrimination, which sets forth in numerous languages how to obtain information about PEBP's services in those languages. Additionally, PEBP is familiar with the resources developed by the Purchasing Division to purchase translation services and will use them if they become necessary to serve PEBP's members.



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Language Access Plan

Introduction

Nevada Revised Statutes (NRS) 232.0081 requires the Nevada Public Employees' Benefits Program (PEBP) have a Language Access Plan (LAP) to ensure that persons with Limited English Proficiency (LEP) have access to oral and written communication in their preferred language at a literacy level and format they can understand, and the degree to which PEBP meets those needs.

General Policy

PEBP recognizes its obligation to provide to persons with LEP meaningful and timely access to its services, including its online member portal, communication with PEBP staff and member-facing vendors, new hire education, plan documents, and notices.

PEBP's Language Access Coordination is the responsibility of:

Quality Control and Compliance Unit
3427 Goni Road, Suite 109
Carson City, NV 89706
775-684-7000

Profile of Persons Served by PEBP

PEBP is a Nevada state entity established pursuant to Chapter 287 of the NRS that administers a program offering medical, prescription drug, dental, and basic life insurance benefits to eligible participants. Eligible participants primarily include officers, employees, and retirees of the State of Nevada and other certain non-state local governmental agencies and the dependents of such individuals. See NRS Chapter 287.

Because PEBP participants are generally state and local government employees, participants are typically English proficient. PEBP does not collect information related to the race/ethnicity, preferred or primary language, language proficiency, literacy, or refugee status of its members. While many of PEBP's services are available electronically, virtually all documents may be provided in writing upon request.

If PEBP were to seek such information about its members, it would request pertinent and available

demographic information from the Division of Human Resources Management and other agency partners, such as the Nevada System of Higher Education. If PEBP were to begin collecting such information directly from its members, it would require revision of numerous forms and system enhancements through the appropriate vendor to populate, store, and report such data.

PEBP Language Access Services and Procedures

PEBP currently provides a notice of non-discrimination that includes information about how to access PEBP's services in numerous languages, including Spanish, Tagalog, Chinese, Korean, Vietnamese, Amharic, Thai, Japanese, Arabic, Russian, French, Persian, Samoan, and German: <https://pebp.nv.gov/Plans/mandatory-notices/>. Upon request for translation, including for captions or sign language, PEBP contacts a contracted vendor identified on the Department of Administration's Purchasing Division Statewide Contracts for Translation and Interpretation services to fulfill such requests. There have been no such requests in the last seven years.

Community Outreach and Engagement

In addition to the language access resources set forth in its non-discrimination notice, as described above, PEBP has notified agency representatives, who deal directly with PEBP members, of its language access services.

Implementing Language Access Services to Staff

PEBP encourages staff to access several helpful cultural competency resources provided by the "Think Cultural Health" website, sponsored by the Office of Minority Health of the United States Department of Health and Human Services:

- *Guide to Providing Effective Communication and Language Assistance Services*, available at <https://thinkculturalhealth.hhs.gov/education/communication-guide>
- *A Primer on Communication and Language Assistance* (video presentation), available at: <https://thinkculturalhealth.hhs.gov/resources/presentations/7/a-primer-on-communication-and-language-assistance>
- "How-to" guides, available at <https://thinkculturalhealth.hhs.gov/resources/library>:
 - *Communication styles*
 - *Combating implicit bias and stereotypes*
 - *How to better understand different social identities*
 - *CLAS, cultural competency, and cultural humility*

Obtaining Request for Language Services

The Member Services Unit (MSU) shall take requests for language services in the following manner.

1. Provide the member the Non-Discrimination Notice containing information in numerous languages besides English and determine the client's preferred language;
2. Note the member's preferred language in the member's account; and
3. Notify the Quality Control and Compliance Unit so that appropriate interpretation and/or translation services may be arranged.

Accessing Appropriate Oral Language Services

The preferred method to serve LEP members is by having multilingual staff who can communicate with members orally, and to provide translations of vital documents. In the absence of these staff resources, staff are authorized to:

1. Utilize translation applications, such as Google Translate, to triage the initial interaction and proceed to the next step.
2. Seek professional interpretation and translation services from an appropriate vendor, with the assistance of the Quality Control and Compliance Unit.

Accessing Appropriate Written Language Services

According to PEBP's stated policy on the determination of "vital" documents, the following procedures shall be followed to access qualified written language services. This applies both to written information intended for broad distribution as well as written communications between PEBP and individual clients.

1. Identify the LEP client's preferred language by utilizing the non-discrimination notice as a template for assistance.
2. Inform the members that the documents shall be provided in their preferred written language.
3. Utilize online translation applications, such as Google Translate, to triage the initial interaction and proceed to the next step.
4. PEBP Quality Control and Compliance Unit will seek appropriate professional interpretation and translation services from an appropriate vendor, on an expedited basis, if necessary.
5. Once any translation is completed, PEBP staff will call the PEBP member and arrange delivery of the document by mail or email.

Language Services Quality Assurance:

The qualifications of those providing oral language or written translation services are documented in the Department of Administration's Purchasing Division Statewide Contracts for Translation and Interpretation. Any dissatisfaction with such services shall be relayed to the Purchasing Division.

Staff Training Policies and Procedures

PEBP ensures that its staff are familiar with its language access plan.

Evaluation/Recommendation for PEBP's Language Access Plan

This language access plan shall be reviewed every two years or sooner when deemed necessary.

Processes for Monitoring and Evaluation

The responsibility for monitoring and evaluating the language access plan lies with the Quality Control and Compliance Unit and is subject to approval by the PEBP Board.

PEBP's Quality Control and Compliance Unit shall track all access requests from members and vendors. In

the past seven years, there have been no requests for translation services; therefore, PEBP does not currently analyze performance measures based on translation services.

LAP Considerations/Possible Revisions

PEBP is monitoring potential statewide implementation of translation software to provide a baseline for any members with LEP to initially access plan documents, subject to further professional translation, if necessary. If such software is implemented or available, and cost-effective, PEBP may seek funding to purchase any appropriate license/s.

Budgetary Implications

PEBP has identified vital documents required for members to use its services and those required by state and federal law. Those documents are:

1. Enrollment and Eligibility Master Plan Document
2. Consumer Driven Health Plan Master Plan Document
3. Low Deductible Plan Master Plan Document
4. Exclusive Provider Organization Plan Master Plan Document
5. Dental and Basic Life Insurance Master Plan Document
6. Health Reimbursement Arrangement Summary Plan Description
7. Flexible Spending Accounts Master Plan Document
8. Carrum Health: Centers of Excellence Wrap Plan Document
9. Active Employee Health and Welfare Wrap Plan Document
10. Retiree Employee Health and Welfare Wrap Plan Document
11. Section 125: Health and Welfare Benefits Plan Document
12. Notices to members
13. Forms for members to participate in PEBP

Combined, these documents contain more than 342,000 words. The estimated costs to translate these documents, by language, utilizing the State's contracted translations vendors is noted below.

Vendor Number	Spanish	Chinese (Mandarin & Cantonese), Arabic, Russian, Farsi, Vietnamese, Swahili, Somali, Korean, French, Portuguese, German, Italian	Bosnian-Serbo Croatian, Bulgarian, Czech, Danish, Dutch, Finnish, Flemish, Greek, Hungarian, Norwegian, Polish, Romanian, Slovak, Slovenian, Swedish, Turkish, Ukrainian	All other languages (includes Tagalog)
99SWC- NV22-11678	\$0.12/word	\$0.15 / word	\$0.18 / word	\$0.21 / word
99SWE- NV22-11691	\$0.09/word	\$0.16 / word	\$0.16 / word	\$0.16 / word
99SWC-NV-11693	\$0.09/word	\$0.14 / word	\$0.15 / word	\$0.20 / word
Highest Estimated Cost	\$41,040	\$54,720	\$61,560	\$71,820

The top three languages spoken in Nevada after English are Spanish, Tagalog, and Chinese¹. To translate some or all the vital documents into those languages would cost PEBP up to **\$167,580 per year**, based on the estimates on the above chart. Expedited translations are noted to have significantly higher cost per word.

As no members have requested translation of the vital documents in the past seven years, it appears that members with limited English proficiency constitute less than 5% of PEBP's eligible population. Accordingly, these documents have not been preemptively translated. In the event PEBP requires translation of these documents, the cost would be included in PEBP's annual budget.

For PEBP to track members who are indigenous, a refugee, or with LEP, the enrollment and eligibility system will require a system enhancement. According to the vendor, this would cost approximately **\$35,000** (\$15,000 for the identification of LEP and \$20,000 for the identification of indigenous or refugee).

Additionally, PEBP may request an enhancement to the enrollment and eligibility system to display the online member portal in other languages. The vendor indicates that translation to Spanish only will cost approximately **\$300,000**.

¹ <https://www.guinncenter.org/articles/the-2020-census-in-nevada-snapshot-7>